IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF	:	
MARIE-CLAUDE GINGRAS, ET AL.	:	EXAMINER: BELYAVSKYI
SERIAL NO: 10/021,509	:	
FILED: DECEMBER 7, 2001	:	GROUP ART UNIT: 1644
FOR: TREM-1 SPLICE VARIANT FOR USE IN MODIFYING IMMUNE RESPONSES	:	

INTERVIEW SUMMARY OF THE DISCUSSION OF OCTOBER 15, 2010

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

This interview summary is filed following the examiner initiated interview that occurred on October 15, 2010 with the applicant Eugene Roussel.

SUBSTANCE OF THE INTERVIEW

The examiner called on October 15, 2010 to propose additional amendments to the ones of October 14, to bring the Claims in condition of allowance. For Claim 1, the examiner proposed to introduce the following language "wherein said fragment consist" (underlined) and to delete "a portion of" so it reads ad follow: "A method of modulating an immune response including administering to an animal, in need thereof, a composition comprising a soluble polypeptide of SEQ ID NO: 2, or a fragment thereof, wherein said fragment consist of (deleted "a portion of") amino acid 1-136 of SEQ ID NO: 2, in an amount effective to

modulate the levels of TREM-1 and /or ligand binding activity whereby the immune response is modulated in the animal."

The applicant agreed to this addition of language but disagreed with the deletion of the language "a portion of" before "...amino acid 1-136 of SEQ ID NO:2...". The applicant wanted that part of Claim 1 to remain and to read similar to Claim 3.

As agreed on October 15, the changes made in Claim 1 from October 14 was reading as follow: "A method of modulating an immune response including administering to an animal, in need thereof, a composition comprising a soluble polypeptide of SEQ ID NO:2, or a fragment thereof, wherein said fragment consist of a portion of amino acid 1-136 of SEQ ID NO: 2, in an amount effective to modulate the levels of TREM-1 and /or ligand binding activity whereby the immune response is modulated in the animal.

In Claim 3, the word "or" was added before "said fragment".

In Claim 11, the word "or" was added before "said fragment".

Below is presented the complete set of Claims after the amendments agreed on that day.

AMENDMENTS TO THE CLAIMS

Claims 2, 4, 6-10, 12-14 and 17-39 are cancelled. Claims 1, 3, 5, 11, 15, 16, 40, 41, and 42 are active in this application. Claims 1, 3 and 11 are amended as agreed.

1. (Amended) A method of modulating an immune response including administering to an animal, in need thereof, a composition comprising a soluble polypeptide of SEQ ID NO: 2, or a fragment thereof, wherein said fragment consists of a portion of amino acid 1-136 of SEQ ID NO: 2, in an amount effective to modulate the levels of TREM-1 and /or ligand binding activity whereby the immune response is modulated in the animal.

2. (Canceled)

3. (Amended) The method of claim 1, wherein said polypeptide, or said fragment duplicate SEQ ID NO: 2, or a portion of amino acid 1-136 of SEQ ID NO: 2.

4. (Canceled)

5. (Previously Presented) The method of claim 1 or 3, wherein said immune response is an inflammatory response.

Claims 6-10. (Canceled)

11. (Amended) The method of claim 1 or 3, wherein said polypeptide, or said fragment are admixed with a pharmaceutical carrier.

Claims 12-14 (Cancelled)

15. (Previously Presented) The method of claim 1 or 3, wherein the animal is suffering from a disease or condition is selected from the group consisting of organ transplant/rejection, bone marrow transplant/rejection, graft versus host disease, infectious disease, and an autoimmune disease.

16. (Previously Presented) The method of claim 15, wherein the disease or condition is an infectious disease and which is septic arthritis or septic shock.

17-39. (Canceled)

40. (Previously Presented) The method of claim 15, wherein the disease or condition is an autoimmune disease and which is rheumatoid arthritis, lupus, multiple sclerosis and ulcer.

41. (Previously Presented) The method of claim 1, wherein the composition modulates LPS-induced cytokine production.

42. (Previously Presented) The method of claim 1 or 3, wherein the animal is a human.

Respectfully submitted,

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